

PHYSICAL THERAPY LICENSURE BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 2/21/2020

BOARD MEMBERS PRESENT: M Andrew Mix - Chair
Craig L Esplin
Glady Schroeder
Deanna Dye
Angela L Lippiello

BUREAU STAFF: Kelley Packer, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Nicholas Krema, General Counsel
Rob McQuade, Legal Counsel
Eric Nelson, Board Prosecutor
Debbie Toncray, Board Specialist

OTHERS PRESENT: Dr. Sharon Fritz, Department of Health & Welfare

The meeting was called to order at 9:00 AM MST by M Andrew Mix.

APPROVAL OF MINUTES

Mr. Esplin made a motion to approve the minutes of 11/15/2019 and 12/12/2019. It was seconded by Ms. Schroeder. Motion carried.

COMPLAINT MEMORANDUM

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Ms. Lippiello made a motion to approve the Bureau's recommendation and authorize closure in case number I-PHT-2020-4. It was seconded by Ms. Schroeder. Motion carried.

EXECUTIVE SESSION

Mr. Esplin made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Ms. Lippiello. The vote was: Mr. Mix, aye; Mr. Esplin, aye; Ms. Schroeder, aye; Ms. Lippiello, aye; and Ms. Dye, aye. Motion carried.

Ms. Schroeder made a motion to come out of executive session. It was seconded by Ms. Lippiello. Motion carried.

DISCIPLINE

Mr. Nelson presented a Stipulation and Consent Order in case number PHT-2020-1. Mr. Esplin made a motion to approve the Consent Order and allow the Board chair to sign on behalf of the Board. It was seconded by Ms. Schroeder. Motion carried.

Ms. Peel presented a proposed letter for the Board to send a letter to licensees who report having received a misdemeanor DUI conviction. The Board agreed that the letter should include language regarding substance abuse rather than strictly language about alcohol abuse. Mr. Esplin made a motion to authorize use of the letter with the proposed changes, when appropriate. It was seconded by Ms. Schroeder. Motion carried.

LAWS AND RULES

Ms. Packer presented a legislative update.

Ms. Dye moved the following:

Pursuant to Section 67-5226, Idaho Code, the Governor has found that temporary adoption of this rule is appropriate to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens.

These rules implement the duly enacted laws of the state of Idaho, provide citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws.

The expiration of these rules without due consideration and processes would undermine the public health, safety and welfare of the citizens of Idaho and deprive them of the benefit intended by these rules.

The Governor has also found that the fees being imposed are justified and necessary to avoid immediate danger to the Idaho Physical Therapy Licensure Board's budget, to the state budget, to necessary state functions and services, and to avoid immediate danger of a potential violation of Idaho's constitutional requirement that it balance its budget.

Therefore, we are adopting this temporary rule to be effective upon *sine die* of the 2020 session of the Idaho Legislature. The approval is conditional and will only become effective if the rules are not otherwise approved or rejected by the Legislature and/or not extended pursuant to the Idaho Administrative Procedure Act, including Sections 67-5291 and 67-5292, Idaho Code.

It was seconded by Ms. Lippiello. Motion carried.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$232,951.84 as of 1/31/2020.

BUREAU BUSINESS

The Board reviewed the To Do List and no action was taken.

BOARD BUSINESS

CONTINUING EDUCATION CREDITS FOR SUICIDE PREVENTION WORKSHOPS

Ms. Packer introduced Dr. Sharon Fritz from the Department of Health and Welfare who gave a presentation regarding the demographics of suicide rates within the state of Idaho. She stated that workshops in mental health first aid would teach licensees how to identify and respond to issues related to mental health. Mr. Esplin made a motion to authorize the Board chair to contact the Idaho Physical Therapy Association President, Derek Gerber, and inquire about having them educate physical therapists and physical therapist assistants about suicide prevention. It was seconded by Ms. Schroeder. Motion carried.

Ms. Dye left the call at 11:30 AM MST.

CONFERENCE UPDATES AND ATTENDANCE

The Board reviewed the information from the Federation of State Boards of Physical Therapy (FSBPT) regarding its regulatory training, 2020 annual meeting, and Leadership Issues Forum (LIF) meeting. Mr. Esplin made a motion to authorize one or two new Board members to attend the FSBPT regulatory training if the funding was approved by FSBPT to pay the Board members' expenses. It was seconded by Ms. Schroeder. Motion carried.

Mr. Esplin made a motion to authorize the Board chair to designate a delegate, alternate delegate, and Bureau staff to attend the 2020 LIF and annual meetings, both of which include payment of all expenses by FSBPT for attendees. It was seconded by Ms. Schroeder. Motion carried.

Ms. Dye returned to the call at 12:10 PM MST.

CORRESPONDENCE

The Board reviewed correspondence from FSBPT regarding its 2020 budget. The Board took no action.

The Board reviewed correspondence from Dr. Barclay regarding Board approval of his dry needling CE course in light of the lack of Board authority, or other nationally recognized accrediting body of physical therapy, to approve dry needling courses. Mr. Esplin made a motion to authorize Mr. Crema to draft a letter for the Board chair's review to let Dr. Barclay know that the course will be tabled until the proposed law regarding approval of dry needling CE courses has passed. It was seconded by Ms. Schroeder. Motion carried.

The Board discussed the need for a separate dry needling CE course application form. Ms. Lippiello made a motion to authorize herself and Ms. Dye as a subcommittee to draft proposed language for a new dry needling CE course application form. It was seconded by Ms. Schroeder. Motion carried.

Mr. Esplin made a motion to table Dr. Barclay's dry needling CE course at this time until the proposed law regarding approval of dry needling CE courses has passed. It was seconded by Ms. Schroeder. Motion carried.

EXECUTIVE SESSION

Ms. Lippiello made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Ms. Schroeder. The vote was: Mr. Mix, aye; Mr. Esplin, aye; Ms. Schroeder, aye; Ms. Dye, aye; and Ms. Lippiello, aye. Motion carried.

Ms. Dye made a motion to come out of executive session. It was seconded by Ms. Schroeder. Motion carried.

APPLICATIONS

Mr. Esplin made a motion to approve the following for examination pending completion and receipt of the practice exam and assessment tool:

Applicant ID 901167036

It was seconded by Ms. Schroeder. Motion carried.

Mr. Esplin made a motion to approve the following for examination:

Applicant ID 901160411

It was seconded by Ms. Schroeder. Motion carried.

Mr. Esplin made a motion to approve the following for examination:

Applicant ID 901172609

Applicant ID 901172895

Applicant ID 901172527

Applicant ID 901172890

Applicant ID 901172730

Applicant ID 901172693

Applicant ID 901172892

Applicant ID 901173043

It was seconded by Ms. Schroeder. Ms. Lippiello was recused from applicants 901172609 and 901172892. Motion carried.

CE COURSES

The Board reviewed and approved the following courses:

OPTIMAL MOVEMENT STRATEGIES FOR SENIORS
THERAPEUTIC MOVEMENT

MANUAL LYMPHATIC DRAINAGE CERTIFICATION
KLOSE TRAINING & CONSULTING

**ADVANCED DRY NEEDLING - AN EVIDENCE AND ANATOMY BASED
LAB COURSE - FOR CE ONLY**
NORTH IDAHO PHYSICAL THERAPY

**MANUAL THERAPY FOUNDATIONS - CLINICAL REASONING FOR
DIRECT ACCESS INCLUDING SAFETY, PALPATION AND TESTS**
CRUNKEYSER, LLC

FUNCTIONAL STANDARDS FOR OPTIMAL AGING EXPERT
GREAT SEMINARS AND BOOKS, INC

THERAPEUTIC EXERCISE FOR THE OLDER ADULT
GREAT SEMINARS AND BOOKS, INC

PRECHTLS GENERAL MOVEMENT ASSESSMENT - BASIC COURSE
CHILDRENS HOSPITAL OF PHILADELPHIA

PELVIC FLOOR LEVEL 1
HERMAN & WALLACE

**POWER - ASSISTING THE ATHLETE IN TRANSITIONING BACK TO
SPORT-SPECIFIC TRAINING**
ST LUKES- ELKS REHAB

**EXPERTS DO THE BASICS WELL - EVIDENCE BASED EXAMINATION OF
THE SHOULDER**
ST LUKES- ELKS REHAB

PSYCHO-SOCIAL ISSUES RELATED TO BRAIN INJURY
ST. LUKES HEALTH SYSTEM

Ms. Lippiello made a motion to table the following course pending receipt of additional information:

INTRO TO AQUATIC THERAPY AND REHAB
AQUATIC THERAPY & REHAB INSTITUTE (ATRI)

It was seconded by Ms. Schroeder. Motion carried.

Ms. Dye made a motion to table the following course pending receipt of additional information:

**HOLISTIC HEALTH AND WELLNESS SEMINAR – HOW TO EFFECTIVELY
TREAT FASCIA THROUGHOUT THE BODY**
JOURNEY PEDIATRIC THERAPY

It was seconded by Ms. Schroeder. Motion carried.

NEXT MEETINGS were scheduled as follows:

Face-to-face meetings:

May 15, 2020, 9:00 AM MDT

August 7, 2020, 9:00 AM MDT

Conference calls:

March 10, 2020, 1:15 PM MDT

March 31, 2020, 1:15 PM MDT

June 10, 2020, 1:15 PM MDT

July 1, 2020, 1:15 PM MDT

September 8, 2020, 1:15 PM MDT

September 29, 2020, 1:15 PM MDT

December 9, 2020, 1:15 PM MST

ADJOURNMENT

Ms. Lippiello made a motion to adjourn the meeting at 2:16 PM MST. It was seconded by Ms. Schroeder. Motion carried.

M Andrew Mix, Chair